

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In Re:	: Bankruptcy No. 18-15993-elf
Henrietta Byrd Worrell	: Chapter 13
Debtor	:
	:
Citibank, N.A., not in its individual capacity,	:
but solely as trustee of NRZ Pass-Through	:
Trust VI c/o Fay Servicing, LLC	:
Movant	:
vs.	:
	:
Henrietta Byrd Worrell	:
Debtor/Respondent	:
and	:
William C. Miller, Esquire	:
Trustee/Respondent	:

OBJECTION TO CONFIRMATION OF THE PLAN

Movant, Citibank, N.A., not in its individual capacity, but solely as trustee of NRZ Pass-Through Trust VI c/o Fay Servicing, LLC (“Movant”), by its attorneys, Hladik, Onorato & Federman, LLP, objects to confirmation of the Chapter 13 Plan of Debtor, Henrietta Byrd Worrell (“Debtor”), as follows:

1. As of the bankruptcy filing date of September 10, 2018, Movant holds a secured Claim against the Debtor’s property located at 2036 Church Lane, Philadelphia, PA 19138 (the “Property”).
2. On November 14, 2018 Movant filed a Proof of Claim citing a secured claim in the amount of \$45,535.58, with pre-petition arrears in the amount of \$14,699.73.
3. The proposed Plan currently proposes payment to Movant in the amount of \$0.00 for pre-petition arrears.
4. The proposed Plan indicates the Debtor’s grandson is attempting to sell the Property, and that she has entered into an agreement of sale for same, but no copy of said agreement was attached or provided to Movant, to confirm the proposed sale amount is sufficient to pay Movant’s claim in full.
5. Movant is not opposed to Debtor completing a sale of the Property to pay off its lien in full, however, Movant should be paid adequate protection payments at this time, if and until a sale is completed.
6. The proposed Plan also lists a deadline for the sale of the Property as 09/24/2019 (within 12 months of the commencement of the instant bankruptcy), however, said proposed sale deadline is too distant.

7. The Plan fails to provide actions to be taken by the Debtor if the sale is not completed within the given timeframe.

8. The Plan fails to cure the delinquency pursuant to 11 U.S.C. § 1322(b)(5).

9. The Plan violates of 11 USC § 1325(a)(5)(B)(ii) by not providing for Movant to receive the full value of its claim.

10. Movant objects to the feasibility of the Plan under 11 U.S.C. § 1325(a)(6). The Plan proposed by Debtor is not feasible. Movant requests that the bankruptcy case either be converted to a Chapter 7 or be dismissed pursuant to 11 U.S.C. § 1307.

WHEREFORE, Movant respectfully requests that this Honorable Court deny confirmation of the Debtor's Chapter 13 Plan.

Respectfully submitted,

Dated: 11/16/2018

s/Danielle Boyle-Ebersole, Esquire
Danielle Boyle-Ebersole, Esquire
Hladik, Onorato & Federman, LLP
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North Wales, PA 19454
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and	:
William C. Miller, Esquire	:
Trustee/Respondent	:

**CERTIFICATE OF MAILING OF OBJECTION TO THE PROPOSED
PLAN TO PARTIES IN INTEREST**

I, Danielle Boyle-Ebersole, Esquire, attorney for Citibank, N.A., not in its individual capacity, but solely as trustee of NRZ Pass-Through Trust VI c/o Fay Servicing, LLC ("Movant"), certify that I served a copy of the attached Objection to the Plan to the parties below on **11/16/2018**:

Joanne Louis Werdel, Esquire
Via ECF
Attorney for Debtor

William C. Miller, Esquire
Via ECF
Trustee

Henrietta Byrd Worrell
8621 Fayette Street
Philadelphia, PA 19150
Via First Class Mail
Debtor

Date: 11/16/2018

Respectfully Submitted,
s/Danielle Boyle-Ebersole, Esquire
Danielle Boyle-Ebersole, Esquire
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